
State Water Resources Control Board

**NOTICE OF ADOPTION MEETING
NOTICE OF OPPORTUNITY TO COMMENT**

**CONSIDERATION OF PROPOSED ORDER FOR WASTE DISCHARGE REQUIREMENTS
FOR THE FEDERAL HIGHWAY ADMINISTRATION –
CENTRAL FEDERAL LANDS HIGHWAY DIVISION
MOJAVE NATIONAL PRESERVE ROAD REPAIR PROJECT**

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board (State Water Board) will hold a public meeting to consider public comment on a proposed Order for Waste Discharge Requirements (WDRs) for the Federal Highway Administration – Central Federal Lands Highway Division (FHWA) Mojave National Preserve Road Repair Project. After hearing all comments, the State Water Board will take action on the proposed WDRs. The date, time, and location of the public meeting for consideration of adoption is:

Tuesday, September 1, 2015 – 9:00 a.m.
Joe Serna Jr. - CalEPA Headquarters Building
Coastal Hearing Room
1001 I Street, Second Floor
Sacramento, CA 95814

BACKGROUND

The State Water Board received an application on March 20, 2015 from FHWA (Applicant) requesting Federal Clean Water Act section 401 water quality certification for activities related to the *Mojave National Preserve – Reconstruct Road Segments to Improve Safety Project PMIS 18464* (Mojave National Preserve Road Repair Project, or Project). The Applicant, in coordination with the United States National Park Service (USNPS), proposes to perform highway realignments, intersection improvements, and associated road repair activities at eight sites within the Mojave National Preserve (Preserve).

No federal permit or license is required for the Project. Therefore, draft Waste Discharge Requirements (WDRs) are proposed to regulate proposed Project discharges of dredged or fill material to waters of the state. Staff worked with FHWA to obtain all required application information, and the application was deemed complete on June 2, 2015.

The State Water Board also proposes to adopt the Finding of No Significant Impact (FONSI) prepared by the USNPS for the Project and signed on June 4, 2015. The FONSI satisfied the requirements for a negative declaration under the California Environmental Quality Act (CEQA).

A Notice of Intent to Adopt the FONSI was filed with the State Clearinghouse (SCH) upon the release of the Draft WDRs with this public notice for the State Water Board's scheduled meeting of September 1, 2015.

Pursuant to CEQA, the State Water Board will make Findings of Facts (Findings) which support the issuance of these WDRs and are included in draft form in Attachment D of the Draft WDRs.

The Project falls within the jurisdictions of the Lahontan Regional Water Quality Control Board and the Colorado River Basin Regional Water Quality Control Board (Regional Water Boards) and is subject to the water quality control plans (Basin Plans) for the regions and other plans and policies.

The Project is proposed to improve highway safety in the Preserve and to repair highway sections that have been damaged by bank erosion from adjacent dry washes. Repairs are expected to reduce road-related impacts to special status species, especially desert tortoise, by reducing the amount of incremental encroachment onto habitat from the road caused by accidents and casual sightseer traffic.

The Project involves the proposed discharge of structural materials and/or earthen wastes (fill) to ephemeral and intermittent drainages at eight sites in the Mojave National Preserve. These impacts could occur during construction and maintenance of the Project. Activities that could cause direct and indirect, and permanent and temporary impacts to waters of the state include installation of low water crossings, installation of road bank protection revetments, and removal and reconstruction of road segments. Ancillary activities associated with construction, including use of temporary work areas may have indirect effects to waters of the state.

Potential impacts from the Project could cause adverse effects to waters of the state by increasing erosion and sedimentation from hydro-modification of streams (i.e., any activity or structure that increases the velocity and volume (flow rate) and/or the timing of runoff), reducing base flows of streams due to decreased groundwater recharge from new impervious surfaces, introducing potential new sources of polluted stormwater runoff and hazardous waste, and loss of waters from direct removal and/or filling of waters of the state. Total project impacts are presented in Table 1.

Aquatic Resource Type	Temporary Impact			Permanent Impact		
	<i>Acres</i>	<i>CY</i>	<i>LF</i>	<i>Acres</i>	<i>CY</i>	<i>LF</i>
Stream Channel	na	na	na	0.392	na	3,055

The FHWA has minimized impacts to waters of the state through implementation of the Project, which will reduce road mileage in the preserve, reduce off-road vehicular operations, and prevent or reduce the severity of highway accidents that frequently encroach into waters.

The FHWA has incorporated numerous mitigation measures into the Project that are specific to water resource impacts.

Permanent impacts due to road realignment are found to be offset by the restoration of disturbed work areas and areas where road sections are to be decommissioned. Permanent impacts due to installation of low water crossings and road bank revetment are found to be insignificant in that the work is confined to the original road prism, and will not result in any

¹ Cubic Yards (CY); Linear Feet (LF)

substantial change to the affected channels or increase in the volume of artificial structures in the channels. It is also noted that USNPS has conducted extensive restoration projects throughout the Preserve. Therefore, compensatory mitigation for these Project effects is not required.

The FONSI further finds that all effects on the environment have been mitigated to a less than significant level.

SUBMISSION OF WRITTEN COMMENTS

The State Water Board will accept public comments on the proposed draft WDRs for the FHWA Mojave National Preserve Road Repair Project. Written comments must be received by **12:00 noon on Monday, August 17, 2015** and addressed to:

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Comment letters may be submitted electronically, in pdf text format (if less than 15 megabytes in total size), to the Clerk to the Board via e-mail at commentletters@waterboards.ca.gov. If the file is greater than 15 megabytes in total size, then the comment letter may be submitted by fax at (916) 341-5620. **Please indicate in the subject line: "Mojave National Preserve Roads."**

Couriers delivering hard copies of comment letters must check in with lobby security personnel, who can contact Ms. Townsend at (916) 341-5600.

DOCUMENT AVAILABILITY

The proposed draft WDRs for the Project and all related documents are available to view or download on the State Water Board's Web site at:

http://www.waterboards.ca.gov/water_issues/programs/cwa401/notices/2015.shtml

Additional information on the meeting in Sacramento can be found on the State Water Board's Web site at: http://www.waterboards.ca.gov/board_info/calendar/.

PROCEDURAL MATTERS

Participants are encouraged to submit written comments prior to the meeting, in accordance with the deadline specified above. At the meeting, participants will be given an opportunity to summarize and supplement their written materials with oral presentations. To ensure a productive and efficient meeting in which all participants have an opportunity to participate, oral presentations may be time-limited. For other presentation recommendations, go to:

http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml.

PARKING AND ACCESSIBILITY

For directions to the Joe Serna Jr. (CalEPA) Building and public parking information, please refer to the map on the State Water Board Web site:

<http://www.calepa.ca.gov/EPAbldg/location.htm>.

The CalEPA Building is accessible to persons with disabilities. Individuals requiring special accommodations are requested to call Michele Villados at (916) 341-5881 at least five working days prior to the meeting. Telecommunications Device for the Deaf (TDD) users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922. An audio

broadcast of the meeting will be available via the internet and can be accessed at:
<http://www.calepa.ca.gov/broadcast/>.

All visitors to the CalEPA Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance (10th Street entrance). Valid picture identification may be required. Please allow up to 15 minutes for receiving security clearance.

FUTURE NOTICES

The State Water Board will hold the public meeting at the time and place noted above. Any change in the date, time, and place of the public meeting and consideration of adoption will be noticed via e-mail subscription. Any person desiring to receive future notices concerning the proposed draft WDRs for the Mojave National Preserve Road Repair Project, including any changes to the notice of consideration of adoption, must subscribe to the e-mail list using the E-mail List Subscription form at:
http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml. Select the "CWA 401 Certification and Wetlands Program" e-mail list, located within the "Water Quality Topics" group.

CONTACT INFORMATION

Please direct questions about this notice to Mr. Cliff Harvey at (916) 558-1709
(Clifford.Harvey@waterboards.ca.gov).

July 16, 2015

Date



Jeanine Townsend
Clerk to the Board